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In re Application of: Vikram Singh et al. : PETITION TO REQUEST
Application No. 09/710,543 : SUPERVISORY REVIEW
Filed: November 9, 2000 : UNDER
Attorney Docket No.: GEMS8081.027 : 37 C.F.R. 1.144
For: METHOD OF DESIGNING AN :
ELECTRICAL TRANSACTION SYSTEM:

This is in response to applicants' petition filed on December 16, 2003 to have the July 28, 2003 restriction requirement withdrawn.

The petition is **DENIED**.

Petitioner argues that in the July 28, 2003 restriction requirement the examiner has failed to show by way of example that the subcombinations of Groups I, II, III, and IV have separate utility from the disclosed combination. Further, petitioner argues that the examiner has failed to prove that there is a serious burden on the Office to examine all four groups of invention. Finally petitioner urges that the distinct classifications proposed by the examiner are improper and that the searches for the four groups of inventions would be the same.

A review of the July 28, 2003 restriction requirement indicates that the groupings advanced by the examiner are proper although the distinction between the groups of invention has not been clearly set forth. However, this has been expanded on below. Groups I, II, and III are distinct from the Group IV and accordingly from the overall disclosed combination in that they do not require the method step of considering the impact of the applicable regulations. Groups II, III, and IV are distinct from Group I and thus the disclosed combination in that they do not require the method step of reviewing direct sales screening processes. Groups I, III, and IV are distinct from Group II and thus the disclosed combination in that they do not require the method step of determining available products and services. Groups I, II, and IV are distinct from Group III and thus the disclosed combination in that they do not require the method step of proposing a global communications network site. As such each of the groups are not only distinct from the disclosed combination but are also distinct from each other.

Further, while the dependent claims of each grouping may claim all of these features at least claims 1, 11, 17, and 23 are evidence claims indicating that the petitioner has not relied on the details of the dependent claims for patentability and recognizes that each of the groups are in fact distinct inventions. This arrangement of the claims would present a serious burden for the examiner since each of the groups set forth would require a different approach and emphasis in the search and formulation of possible rejections. As for the classification of the four groups of invention, no error is seen with respect to the classification selected by the examiner.

Accordingly, the petition is denied. The amendment filed on December 16, 2003 will be forwarded to the examiner for action in turn.

Summary: Petition DENIED



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